



UNITED STATES DEPARTMENT OF COMMERCE
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BC8

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/179,290	10/27/98	CUIJPERS	M PHN-16.580

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EXAMINER

ALAVI, A

ART UNIT	PAPER NUMBER
2621	9

DATE MAILED: 11/09/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/179,290

Applicant(s)

CUIJPERS, MAURICE J.M.

Examiner

Amir Alavi

Art Unit

~~20~~21

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

FINAL ACTION

RESPONSE TO AMENDMENT

1. Applicant's amendment filed October 25, 2000, has been entered and made of record.
2. 35 USC § 112 rejection of claims 3-5 and 12 have been withdrawn in view of the changes made to these claims in the applicant's amendment.
3. Applicant's arguments have been fully considered but they are not persuasive, applicant argues in essence that Matsumoto et al. do not disclose or suggest using the same look-up table for both the source and output image.
4. The Examiner disagrees and indicates that the prior arts teach using the same look-up table for both the source and output image. (See column 1, lines 15-58 & FIG. 1, element 80).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by
Matsumoto et al. (U.S. patent 5,606,632) .

Regarding claim 1, Matsumoto et al. disclose defining a subdivision of the output image into regions of image locations (see lines 35-58, column 1 & FIG. 1, element 91);

Providing a color look-up table (see lines 35-38, column 1 & FIG. 1, element 80);

Providing a respective set of references to the color look-up table for each region (see lines 53-58, column 1 & FIG. 1, element 70);

Providing a pixel map comprising a selection code for each image location (see lines 15-34, column 1);

Selecting a particular reference to the color look-up table for a particular image location from the particular set provided for the region to which the particular

image location belongs, by using the selection code as a pointer in that particular set (see lines 53-58, column 1 & FIG. 1, element 70);

Wherein the pixel map is constructed by grouping the image locations in each region into groups according to a similarity of color values in a source image, the selection code identifying the group to which the image location belongs among the groups for the region (see lines 15-34, column 1);

Wherein the color look-u table is provided for the source image, all color values of the source image being in the color look-up table, the reference used for the image locations in a particular group of the pixel map being constructed from at least one reference to the color look-up table which defines the color value in the source image for at least one image location in the particular group. (See lines 15-40, column 1 & FIGS. 1, element 60).

Regarding claim 2, Matsumoto et al. disclose, wherein the reference used for the image locations in the particular group is constructed by selecting a representative image location from the particular group and taking the reference defining the color value for the representative image location in the source image. (See lines 53-58, column 1 & FIGS. 1, element 70).

Regarding claim 3, Matsumoto et al. disclose, wherein the representative image location is selected by determining an image property for each image location in the particular group from the color values in the source image for these image locations in the particular group, and selecting as representative image

Location an image location for which the image property is a median value among the image properties of the image locations in the particular group. (See lines 35-58, column 1).

Regarding claim 4, Matsumoto et al. disclose, wherein the representative image location is an image location which has a median value of the image property among the image properties of the image locations in the particular group. (See lines 15-58).

Regarding claim 5, Matsumoto et al. disclose, wherein the image property is the luminance of the color value in the source image. (See lines 21-30, column 2).

Regarding claim 6, Matsumoto et al. disclose, Wherein the output image represents a pyramid of levels of increasingly higher resolution versions of a basic image, each level being subdivided into regions, the color look-up table being common for all levels, each level being associated, with a respective pixel map, the particular reference to the color look-up table being selected for a particular image location at a particular level, from the particular set provided for the region for that level according to the pixel map for that level. (See lines 21-30, column 2).

Regarding claim 7, Matsumoto et al. disclose a method, used for texture mapping in computer graphics, wherein the levels are different resolution levels of a mipmap. (See lines 15-34, column 1).

Regarding claims 8-10, arguments analogous to those presented for claim 1 are applicable.

Regarding claims 11 & 12, arguments analogous to those presented for claims 2 & 3, respectively are applicable.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amir Alavi whose telephone number is (703) 306-5913. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached at (703)306-5406.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

or faxed to:

(703) 308-9051, or (703) 308-9052 (for **formal** communications; please mark

"EXPEDITED PROCEDURE")

or:

(703) 306-5406 (for **informal** or **draft** communications, please label "PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Art Unit: 2721

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703)305-4750.

Amir Alavi
Patent Examiner
Group Art Unit 2621
November 3, 2000

Amir Alavi
AMIR ALAVI
PRIMARY EXAMINER

ATTACHMENT TO AND MODIFICATION OF
NOTICE OF ALLOWABILITY (PTO-37)

(November, 2000)

NO EXTENSIONS OF TIME ARE PERMITTED TO FILE CORRECTED OR FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION, notwithstanding any indication to the contrary in the attached Notice of Allowability (PTO-37).

If the following language appears on the attached Notice of Allowability, the portion lined through below is of no force and effect and is to be ignored¹:

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to comply will result in ABANDONMENT of this application. ~~Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).~~

Similar language appearing in any attachments to the Notice of Allowability, such as in an Examiner's Amendment/Comment or in a Notice of Draftperson's Patent Drawing Review, PTO-948, is also to be ignored.

¹ The language which is crossed out is contrary to amended 37 CFR 1.85(c) and 1.136. See "Changes to Implement the Patent Business Goals", 65 Fed. Reg. 54603, 54629, 54641, 54670, 54674 (September 8, 2000), 1238 Off. Gaz. Pat. Office 77, 99, 110, 135, 139 (September 19, 2000).